

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION**

AMY ANN PROCTOR, )  
CHESTER JAKUBOWICZ, )  
DIANNA WALLEN, and )  
GLENDA WERLEY, )

Plaintiffs, )

v. )

Case No. 05-4135-CV-C-NKL

DORN SCHUFFMAN, DIRECTOR )  
MISSOURI DEPARTMENT OF )  
MENTAL HEALTH, )

Defendant. )

**ORDER**

Pending before the Court is Amy Ann Proctor's ("Proctor") Motion for Preliminary Injunction [Doc. # 2]. For the reasons set forth below, the Court denies Proctor's Motion as moot.

At the time Proctor filed her Complaint and Motion for Preliminary Injunction, on May 2, 2005 [Doc. # 1], she was an employee of the Department of Mental Health ("DMH") and the only named plaintiff. In her Complaint, Proctor pursued only prospective injunctive relief; she did not submit a claim for damages or any other relief.

Proctor is no longer an employee of DMH. However, in June 2005, Proctor filed an Amended Complaint that added additional parties, all of whom are current employees of DMH [Doc. # 20]. The current employees join in Proctor's Motion for a Permanent

Injunction [Doc. # 50], which is pending before the Court.

Because Proctor no longer works for DMH, her pending Motion for Preliminary Injunction is moot because, regardless of how the Court rules on the validity of the drug testing policy, she will not be subject to the Court's ruling because she is no longer employed by DMH. Proctor requested prospective injunctive relief only and her request was rendered moot by the termination of her employment. Therefore, the Court will deny her Motion for Preliminary Injunction as moot, dismiss Proctor from the underlying case, and change the caption in this case to *Jakubowicz, et al. v. Schuffman*.

Accordingly, it is hereby

ORDERED that Proctor's Motion for Preliminary Injunction [Doc. # 2] is DENIED as moot and Proctor is dismissed from these proceedings.

s/ Nanette K. Laughrey  
NANETTE K. LAUGHREY  
United States District Judge

DATE: March 31, 2006  
Jefferson City, Missouri